

# City Planning Board Staff Reports 2021

Monday, August 9, 2021 7:00 P.M. City Hall Forum

# Agenda City Planning Board Springfield, Ohio Monday, August 9, 2021 7:00 P.M.

1. Call to Order	
2. Roll Call	
3. Minutes will be held until September.	ACTION
4. Case # 21-RW-05 Right of Way Vacation Request to vacate the first alley east of S Limestone St from Wilson Ave south approximately 177' to intersecting east-west alley continuing east for approximately 275'.	DISCUSSION & ACTION
5. Case # 21-SUB-02 Subdivision Plat New plat for Kingsgate 13	DISCUSSION & ACTION
6. Case # 21-DS-03 Renaming Street The renaming of W. Clark Street from Wittenberg Ave. to Plum St. to Youlish Rhodes Sr. Way.	DISCUSSION & ACTION
7. Case # 21-Z-14 Amend an Approved CC-2A Plan Request to amend the approved site plan for 2206 N Bechtle Avenue, parcel # 3200200001000140 to allow for a new automobile oriented use to be constructed.	DISCUSSION & ACTION
8. Case # 21-Z-12 Rezoning Request for an OPD-H Amendment to develop seven single story residential buildings with 28 single bedroom units. One office/Community building at 356 S Burnett Rd., parcel # 3400700022206057.	DISCUSSION & ACTION
9. Case # 21-Z-13 Rezoning Request for site plan approval to develop a Low Density, Multi-Family Residential District that has six single story residential buildings with thirty two single bedroom units at130 S Burnett Rd., parcel #s 34007000222001001.	DISCUSSION & ACTION

10. Board Comments DISCUSSION

11. Staff Comments DISCUSSION

12. Adjourn - Next meeting September 13, 2021 ACTION

# 2021 City Planning Board Call to Order: Roll Call

Name Term Expiration

1 (strice	
Alex Wendt	04/24/2021
Amanda Fleming	01/01/2022
Charles Harris	03/30/2022
Trisha George	04/14/2022
Jack Spencer	06/16/2022
Kathryn Campbell	01/28/2023
Peg Foley	12/22/2023
Christin Brown-Worthington	03/02/2024
Lorin M Wear III	03/30/2024

# Agenda Item # 4 Case # 21-RW-05 Right of Way Vacation

### STAFF REPORT

TO: City Planning Board DATE: August 3, 2021

PREPARED BY: Stephen Thompson SUBJECT: Right-of-Way Vacation #21-RW-05

**GENERAL INFORMATION:** 

Applicant: Jessica Threats, 232 Delcourt Dr., Springfield, OH 45506

Requested Action: Request to vacate the first alley east of S Limestone St

from Wilson Ave south approximately 177' to intersecting

east-west alley continuing east for approximately 275'.

Petitioner's Comments: See attached Exhibit C

Adjoining Property Owners: See attached Exhibit B

File Date: June 3, 2021

**RETURNED REPORTS:** 

Columbia Gas: No objections

Spectrum: No objections; has no issues vacating this alley way

providing we will continue to have access to the

utility poles to maintain aerial lines.

AT&T: No objections

Ohio Edison: Recommend denial; due to extensive Ohio Edison

facilities in this ROW, vacation is not

recommended.

City Service Department: No objections

Fire Division:

No objections

Building inspections: No objections

Police Division: No objections

City Manager's Office: No objections

Planning and Zoning: The applicant states she is requesting to vacate the

alley to create new parking. Given the amount of

Ohio Edison facilities in the alley, vacating the alley would be detrimental to maintaining the equipment.

# **STAFF RECOMMENDATION:**

Denial of the request to vacate the subject right of way.

# ATTACHMENTS: 1. Vicinity map

- 2. Petition with petitioner's comments



at 1730
FOR OFFICE USE ONLY
Case #:
Date Received:
Received by:
Application Fee: \$
Review Type:
□ Admin ☑CPB □BZA

21-RW-09

## GENERAL APPLICATION

A. PROJECT
1. Application Type & Project Description (attach additional information, if necessary):  "FIGHT-OF-WAY VACATION — ALLEY LOT
2. Address of Subject Property:
3. Parcel ID Number(s): 16 (NEXT TO PARCEL # 3400700033217004)
4. Full legal description attached? ☑ yes ☐ no
5. Size of subject property: UNKNOWN
6. Current Use of Property: No use
7. Current Zoning of Property: UNIZNOWN
B. APPLICANT
1. Applicant's Status (attach proof of ownership or agent authorization)
☐ Agent (agent authorization required) ☐ Tenant (agent authorization required)
2. Name of Applicant(s) or Contact Person(s):
Title: MISS
Company (if applicable): N/A
Mailing address: 232 DELCOURT DAVE
City: SPRINGFIELD State: OHIO ZIP: 45506
Telephone: (937) 323-2703 Fax: ( )
Email TECSICA THREATS @ GMAIL, COM

	ent for the property owner: older):	
		ZIP:
		AT THE INFORMATION
CONTAINED HERE KNOWLEDGE.	IN IS TRUE AND CORR	ECT TO THE BEST OF MY/OUR
Signature of Applicant	ect	
Signature of Applicant		Signature of Co-applicant
JESSICA THREATS	, OWNER	
Typed or printed name	and title of applicant	Typed or printed name of co-applicant
State of Ohio County of		
The foregoing instrum Mu, 20 2/	ent was acknowledged befo	re me this <u>2/5</u> day of
by		(name of person acknowledged).
(seal)		
Notary	1 E	Motary Public/Signature  1y commission expires:



COMMUNITY DEVELOPMENT DEPARTMENT PLANNING & ZONING DIVISION Right-of-Way Vacation Application

Date 5/20/21	
Applicant Name: JESSICA THREATS	
Address: 117 WILSON AVE	
Please include the following Exhibits:	

### Exhibit A

A plot plan is to be attached which indicates the right-of-way to be vacated.

### Exhibit B

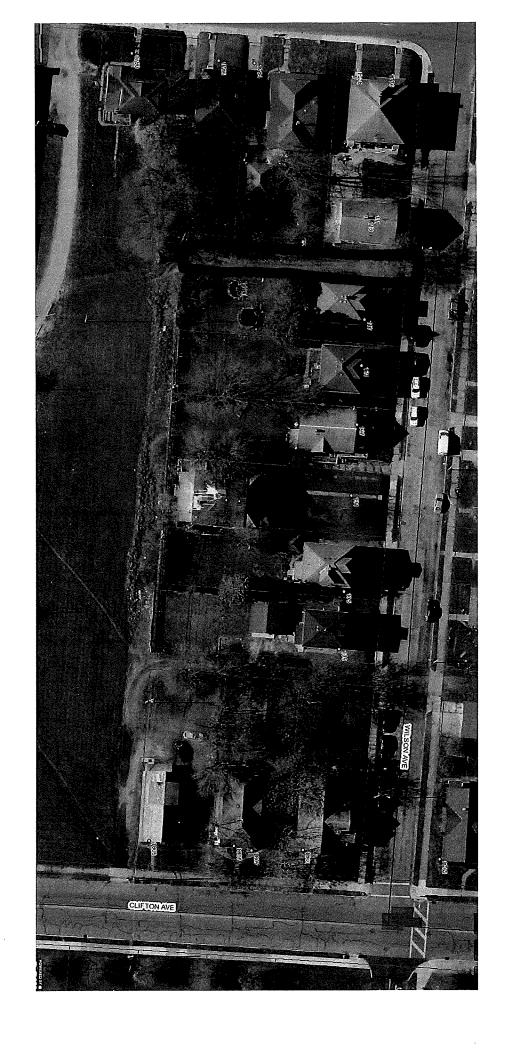
State the reason for the requested right-of-way vacation. (These statements will be considered by the Planning Staff, the City Planning Board, and the City Commission as the request is reviewed.) This is to be attached and made a part of this petition.

### Exhibit C

If required by the City Planning Board, a cross-access easement agreement would need to be signed by all affected neighbors prior to the City Commission Public Hearing.

I, the undersigned, depose and state that I am an interested party in the right-of-way involved in this petition.

Signature



### Petition for Right-of-Way Vacation

Addressed to:

The City of Springfield

The Planning Staff

The City Planning Board

The City Commission

May 20, 2021

Hello, my name is Jessica Threats and I am the new property owner of 117 Wilson Avenue located on the South side of Springfield in the Frey subdivision. I am petitioning for the Alley that runs alongside my property to be vacated so that I can add parking. Currently, Wilson Avenue is limited in parking and the adjoining lot (#16) is no longer utilized by any other party.

Thank you for your consideration, and I look forward to your reply.

Sincerely,

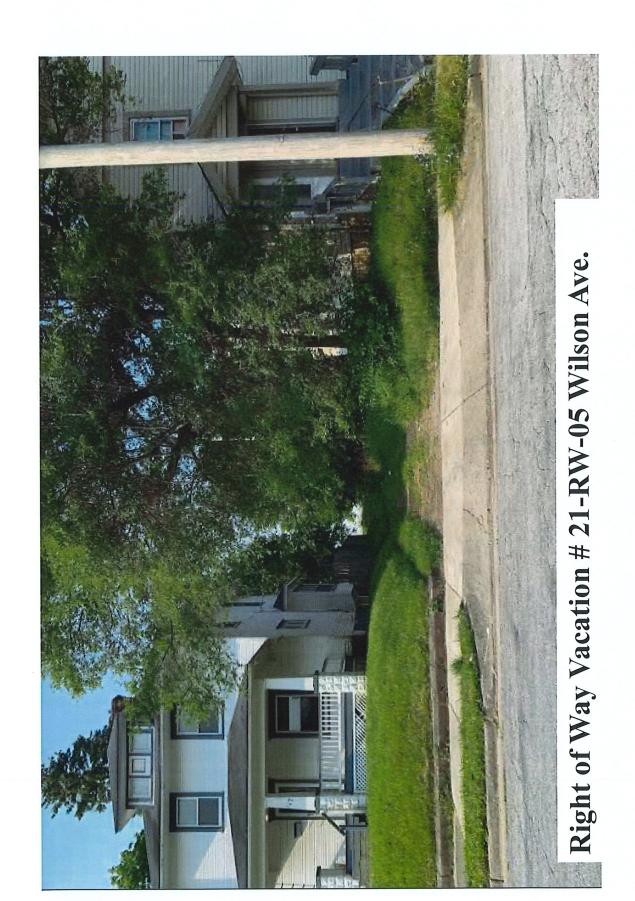
Jessica Threats

Property Owner of 117 Wilson Avenue

**Current Resident of 232 Delcourt Drive** 



Right of Way Vacation # 21-RW-05 Wilson Ave.



# Agenda Item # 5 Case # 21-SUB-02 Subdivision Plat

### STAFF REPORT

TO: City Planning Board DATE: August 3, 2021

PREPARED BY: Stephen Thompson SUBJECT: Residential Subdivision, Kingsgate

13A Plat

**GENERAL INFORMATION:** 

Owner: Kingsgate Commons, 1130 Vester Rd., Springfield, Ohio.

43305

Developer: Kingsgate Commons, 1130 Vester Rd., Springfield, Ohio.

43305

Engineer: Harral and Stevenson, 20 S. limestone St. Suite 010,

Springfield, Ohio. 45502

Requested Action: Residential Subdivision plat

Area in Streets: 1.674

Area Subdivided into Lots: 7.663 acres

Facilities: City water, sewer, and storm drainage.

Location: 3641 Middle Urbana Rd.

Existing Land Use and Zoning: RS-5, Low-Density, Single-Family Residential District

Applicable Regulations: Springfield Subdivision Regulations. Chapter 12.

File Date: July 12, 2021

**BACKGROUND:** 

The plat submitted will be recorded with the new lot lines.

STAFF COMMENTS:

City Service Department: Recommends Approval. Signature lines

need to match Chapter 1213.07.

City Fire Department: No objections

City Police Department:

No objections

**Building Division:** 

Recommends Approval. All building department issues will be handled in Plan Review Process.

City Manager's Office:

Recommends Approval.

Planning/Zoning Division:

No objections

## **STAFF RECOMMENDATION:**

Approval of the plat.



01	0	C	u	9.

	FOR OFFICE USE ONLY Case #: 21-503-02
	Date Received:
	Received by:
	Application Fee: \$
١	Review Type:
١	□ Admin □CPB □BZA

## GENERAL APPLICATION

# **PROJECT** A. 1. Application Type & Project Description (attach additional information, if necessary): Residential Subdivision, Kingsgate Commons Section 13A 3641 Middle Urbana Rd, Springfield, OH 45503 2. Address of Subject Property: \_ 3. Parcel ID Number(s): 320-03-00020-000-058 4. Full legal description attached? ☐ yes 🏻 no 5. Size of subject property: 9.337 ac. Vacant 6. Current Use of Property: \_ 7. Current Zoning of Property: RS-5 **APPLICANT** B. 1. Applicant's Status (attach proof of ownership or agent authorization) Applicant's Status (attach proof of ownership or agent authorization) ☐ Tenant (agent authorization required) ☐ Agent (agent authorization required) Title: Partner Company (if Kingsgate Commons applicable): Mailing address: 1130 Vester Ave. City: Springfield OHZIP: 45503

Fax: (

State:

Telephone: (937) 390-8800

tom@midprop.com

Email

3. If the applicant is ago Name of Owner (title h		vner:
Mailing Address:		
City:	State:	ZIP:
		THAT THE INFORMATION
	IN IS TRUE AND C	ORRECT TO THE BEST OF MY/OUR
KNOWLEDGE.  Signature of Applicant,	gran -	Robert Dellandh Signature of Co-applicant
Thomas Of	OFFIS Carmer	ROBERT L HELLMUTH
Typed or printed name	and title of applicant	Typed or printed name of co-applicant
State of Ohio County of CUARK		11.6 12.6
The foregoing instrume	ent was acknowledged	l before me this 121H day of
by MHOMAS P	LOFTIS	(name of person acknowledged).
(seal)	obert L Wellmust	tL
KARIAL SKI		
	EEN K. OSSECK ARY PUBLIC	Mourier L. Osseck
STA	TE OF OHIO ecorded in	Notary Public Signature
C		My commission expires: 711-4 2022



### CITY OF SPRINGFIELD

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING & ZONING DIVISION

PROPERTY OWNER AFFIDAVIT (IF NECESSARY)

Address:	3641 Middle Urbana Rd, Springfield, OH 45503
Parcel No.:	320-03-00020-000-058
Acreage:	9.337
Agent Name:	
Agent Tax Mailing Address:	
Agent Phone Number:	
Owner Name:	Kingsgate Commons
Owner Tax Mailing Address:	1130 Vester Rd
	Springfield OH 43305
Owner Phone Number:	937-390-8800
Requested Action	
(to be conducted by	
Agent, authorized by	
owner):	
I hereby certify that: I am the property owner of recording application.  Property owner signature:	d. I authorize the above listed agent to act on my behalf for the purposes of
Printed name: Tom	Loftis, Partner
Date: 07-1	2-21
State of Ohio County of CLARK	
The foregoing instrument was	s acknowledged before me this 12/11 day of JULY , 20/21
by THOMAS P. LOF	(name of person acknowledged).
MAUREEN I NOTARY STATE C Record Clark	PUBLIC  Notary Public Signature  ded in



### CITY OF SPRINGFIELD

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING & ZONING DIVISION

SUBDIVISION APPLICATION (PRELIMINARY AND FINAL)

Date Fil	led_07/12/21
	Please check one:   Preliminary   Final   Combined  Name of Subdivision:   Kingsgate Commons Section 13A
	Location: City Springfiel County Clark Township
	Section 20 Town 5 Range 10
3. 1	Subdivision Development Team:  a. Name of Owner:  Kingsgate Commons
	Address: 1130 Vester Ave, Springfield, OH 45503
	b. Name of Developer: Kingsgate Commons
	Address: 1130 Vester Ave, Springfield, OH 45503
	c. Name of Engineer: Harral & Stevenson
	Address: 20 S Limestone St. Ste 010, Springfield, OH 4550
4.	Subdivision Plan:
	a. Please check one: Commercial XResidential Industrial Mixed use
	b. Date when construction will start09/01/2021
	c. Total Area 9.337 ac.
	d. Area subdivided in lots 7.663 ac.
	e. Area in streets 1.674 ac.
	f. Typical lot width 90' depth 113'-309'
	g. Lineal Feet of Street: Major Minor 317'
	h. Area dedicated for public purposes 0 ac.
	Blancia & Zaria District

i.	Number of Lots: Residential Commercial 0Industrial 0
j.	Area reserved for: Residential 7.663Commercial 0 Industrial 0
k.	Will dwelling be built on each residential lot before the lot is sold? No
1.	Zoning Classification of the area, if any:RS-5
m.	Are any changes in zoning proposed? No
n.	Are public utilities available in the area? Yes
	Sanitary Sewer X Water X Storm Drainage X
0.	Is any part of the plat within the area flooded in the 1913 flood? No
p.	Are map elevations based on sea level datum? Yes
q.	Landowners Association?
r.	Covenants/Dead restriction?
5. Typica	al Dwelling:
Sto	ries Rooms Size Varies
Gar	rage: Attached Detached None
6. Applic	ant NameTom Loftis, Partner
Applicant	's Status (attach proof of ownership or agent authorization)
⊠ Owner	☐ Agent (agent authorization required) ☐ Tenant (agent authorization required)
Mailing	1130 Vester Ave gaddress:
City: S	pringfield State: OH ZIP: 45503
Telepho	one: (9 <u>3</u> 7-390-8800 FAX: ( )
Email	tom@midprop.com

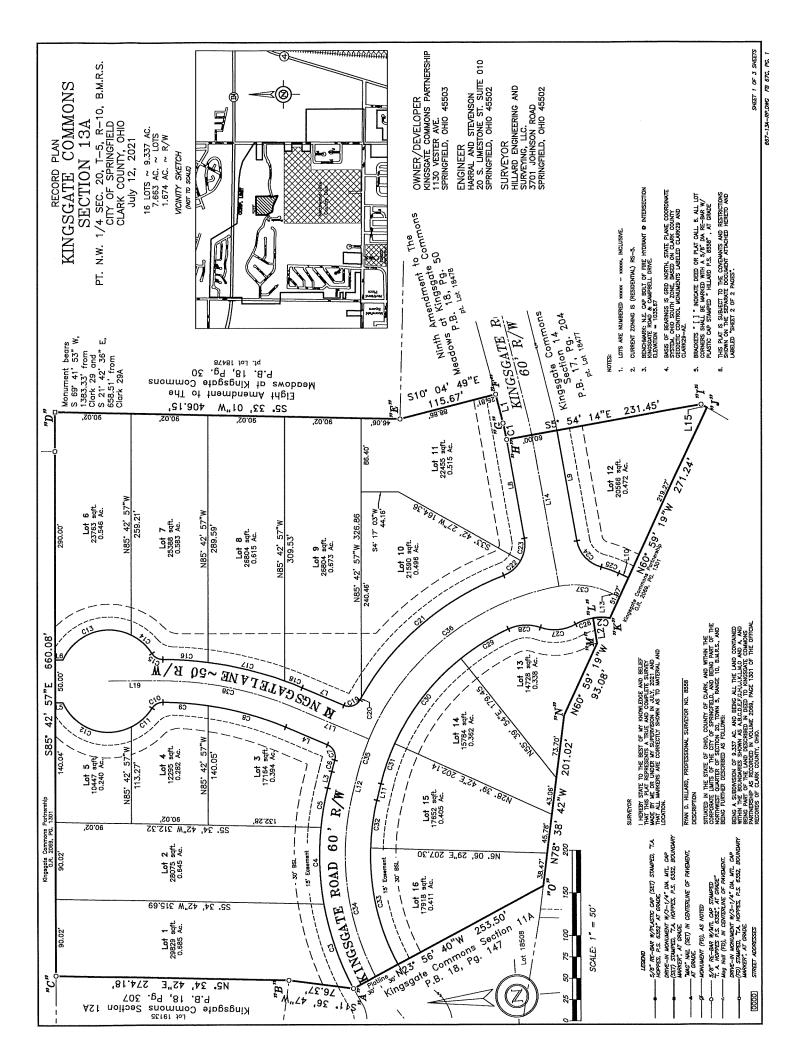
I/WE CERTIFY AND ACKNOWLEDGE TH	IAT THE INFORMATION CONTAINED				
HEREIN IS TRUE AND CORRECT TO THE BEST OF MY/OUR KNOWLEDGE.					
Thomas Hother	Worth Allman				
Signature of Applicant	Signature of Co-applicant				
Thomas PLOPIS PREMER	ROBERT L HELLMUTH				
Typed or printed name and title of applicant	Typed or printed name of co-applicant				
State of Ohio County of UARK					
The foregoing instrument was acknowledged be 20_2\	efore me this 12TH day of JULY,				
by THOMAS PLOFTIS + Robert L Hellmurk	(name of person acknowledged).				
(seal)  MAUREEN K. OSSECK  NOTARY PUBLIC  STATE OF OHIO  Recorded in  Clark County  My Comm. Exp. 2/4/2022	My commission expires: 344, 2022				

# **Application Check List**

Please review for completeness

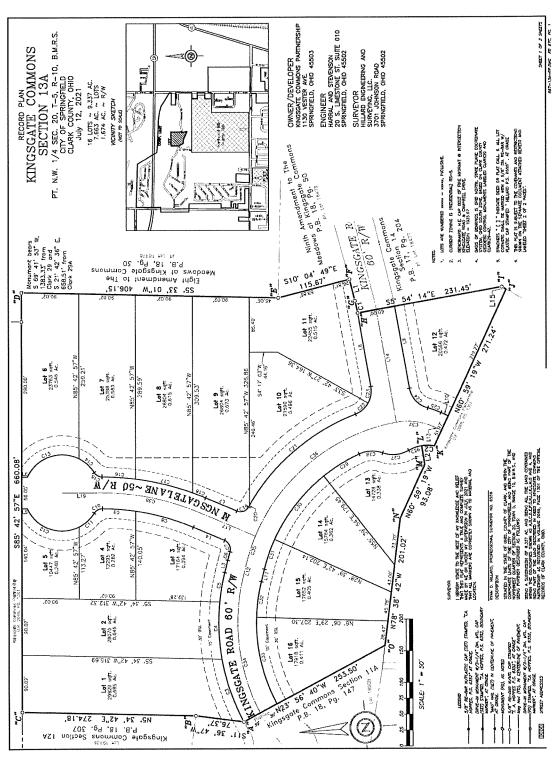
### ITEMS TO BE SUBMITTED:

□ Subdivision Application Preliminary/Final Plat or both if submitting combined review.
 □ General Application
 □ Agreement to extend 30-day approval period.
 □ 12 copies of Preliminary Plats (1 copy 8.5x11 scaled, 11 copies 18x24 scaled)
 ¬ Copies of Final Plats (1 copy 8.5x11 scaled, 6 copies 18x24 scaled)
 □ Proof of ownership or Owner Affidavit.
 □ Zoning and Engineering review fees (must be submitted with the application).
 □ Preliminary Plat: \$300 + \$10/lot + \$750 (Engineering) Final Plat: \$750 (Engineering)
 □ Plats shall comply with 1205.02 of the subdivision regulations.





New Plat# 21-SUB-02 Kingsgate 13.



New Plat# 21-SUB-02 Kingsgate 13.

# Agenda Item # 6 Case # 21-DS-03 Street Renaming

### STAFF REPORT

TO: City Planning Board DATE: August 3, 2021

PREPARED BY: Stephen Thompson SUBJECT: Part Street Renaming

Case #21-DS-03

### **GENERAL INFORMATION:**

Applicant: Samuel Rashoda Sr., 3948 E. 190<sup>th</sup> St., Cleveland, OH

44122

Requested Action: Part Street Renaming of W. Clark St. from Wittenberg Ave.

to Plum St. as Youlish Rhodes Sr. Way

Purpose: In honor of Youlish Rhodes Sr.

Location: W. Clark St., Springfield, Ohio

Size: Approximately 0.20 mile

Existing Land Use and Zoning: N/A.

Applicable Regulations: Chapter 905.02: Streets and alleys—name change

Chapter 157: Planning Board

File Date: June 29, 2021

### **BACKGROUND:**

The applicant is requesting to rename part of W. Clark St., from Wittenberg Ave. to Plum St., as Youlish Rhodes Sr. Way.

He was born on February 2, 1921 and raised in the little town of Sparta, Georgia. He had to quit school at an early age to work in the cotton fields. He later married Dazzie (Tucker) Rhodes and moved to Springfield in the early 40's for better opportunities. In Springfield, he had 11 children and all his children attended schools in Springfield, Ohio. He and his wife Dazzie (Tucker) Rhodes have more than 150 off springs and many of them have made Springfield their home.

His first job was with the Crowell Collier Plant until it shut down in the 50's. He began working for the City of Springfield Sanitation Department until retiring in 1989. He was beloved and well known by many due to his work ethics, commitment to family and church life. He was an active member and Deacon Emeritus for Restored Life Ministries (formerly St Luke Baptist Church).

He purchased a home on Wittenberg Ave. and after 30 years he purchased their second home at 308 W Clark Street. He loved to sing and pray while opening up his home to anyone needing assistance. A great man known by many, he passed away on May 12, 2021.

More than 200 people during Covid-19 attended his 100 birthday celebration at the Simon Kenton Inn . "Youlish Rhodes Sr. Way" will be a welcome sight and a great way to memorialize his legacy.

### **ANALYSIS:**

A Street renaming is permitted under Chapter 905 of the code: Vacation or Narrowing of Streets. Specifically, Chapter 905.02 sets forth the rules and regulations governing street and alley name changes.

### **RETURNED REPORTS:**

City Service Department: Recommends Denial. This will create additional

expense and not benefit the transportation system. Estimated cost is \$1,000. Renaming of streets causes residents to have to deal with formal and informal address change (legal documents, property

and financial documents).

Building Inspections: No objections. Recommends Approval.

Fire Division:

No objections. Recommends Approval.

Police Division: No objections. Recommends Approval.

City Manager's Office: Recommends Denial. High cost of material.

Planning and Zoning: No objections.

### **STAFF RECOMMENDATION:**

Recommends denial of the request to rename part of W. Clark St.

### **ATTACHMENTS:**

- 1. Vicinity and zoning map
- 2. Petition with attachments



**Email** 

FOR OFFICE USE OF Case #:	14:39:31
Received by:Application Fee: \$	5D.00 M-
Review Type: ☐ Admin ☐CPE	B□BZA
21-DS	- 03

# GENERAL APPLICATION

A. PROJECT
1. Application Type & Project Description (attach additional information, if necessary):
from Witholog Ave to Plum street (2B)
2. Address of Subject Property:
3. Parcel ID Number(s):
4. Full legal description attached? ☐ yes ☐ 110
5. Size of subject property:
6. Current Use of Property:
7. Current Zoning of Property: N/A
B. APPLICANT
1. Applicant's Status (attach proof of ownership or agent authorization) \(\subseteq\) Owner
☐ Agent (agent authorization required) ☐ Tenant (agent authorization required)
2. Name of Applicant(s) or Contact Person(s): 5 Ancel Roshoda Sig
Title: Eldest Son of Youlish Rhodos BR.
Company (if applicable):
Mailing address: 3948 Blash Steel
City: Cleveland State: Oho ZIP: WYDZ
Telephone: (216) 469-1075 Fax: ( )

	s agent for the property owner itle holder):		
Name of Owner (u	tie noider).	V	
Mailing Address:			
City	State:	ZIP:	
010).			
TAXAB CIEDTIEV	AND ACKNOWLEDGE TH	AT THE INFORMATIO	)N
CONTAINED HI	EREIN IS TRUE AND COR	RECT TO THE BEST O	F MY/OUR
KNOWLEDGE	n I		
ta	112		
Signature of Appli	cant	Signature of C	Co-applicant
	Rashada Sr.		
	name and title of applicant	Typed or printed name	of co-applicant
State of Ohio			
County of	Cuyahoga		
TTN C	rument was acknowledged bef	Fore me this 24 th	of
The foregoing inst	rument was acknowledged ber	ore me uns 67 day	01
by Samue	Rashada	(name of person a	cknowledged).
(seal)			
		$\sim$ 1	
WALL PUBLIC		Umandooth	lases
	AMANDA E MAPES	Notary Public Si	gnature
	Notary Public, State of Ohio	N. C	0-11-7077
My	/ Comm. Expires Aug. 16, 2022 Recorded in Cuyahoga County	wiy commission expires:	8-16-2022
THE PARTY OF THE P	The state of the s		

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### CITY OF SPRINGFIELD

COMMUNITY DEVELOPMENT DEPARTMENT PLANNING & ZONING DIVISION

DUAL STREET NAMING APPLICATION

Date 6 24 2021
Applicant Name: Samuel Rabbada Sr
Phone: 216-469-1075
Address: 3948 E190th Street Clave, Ohio 44)
Please attach the following Exhibits:
Exhibit A
A plot plan is to be attached depicting the street to be renamed showing the current name of the street and the proposed name for the street. The plot plan should include all intersections that the applicant intends to have signed with the new street name.
Exhibit B
State the reasons for the requested street renaming. (These statements will be considered by the Planning Staff, The City Planning Board, and the City Commission as the request is reviewed.) This is to be attached and made a part of this petition.  The considered by the Planning Staff, The City Planning Board, and the City Commission as the request is reviewed.) This is to be attached and made a part of this petition.  The considered by the Planning Staff, The City Planning Board, and the City Commission as the request is reviewed.) This is to be attached and made a part of this petition.  Exhibit C
Letter from the applicant stating their understanding that they are responsible for at least 50% of the costs of the new signage related to the street renaming. Letter must be notarized. ( $I \sim \infty$ Quality $I \sim \infty$
I, the undersigned, depose and state that I am an interested party in the street renaming involved in this petition.  Signature

Deacon Emeritus Youlish "Papa" Rhodes Sr. Restored Life Ministries formerly St Luke's Baptist Church. Will be celebrating his 100th Birthday on Saturday February 6th 2021. A beloved member of the Springfield Community for approximately 80 years. Married to the late Dazzle Rhodes giving birth to eleven children and 100 plus off springs. Most of which are still residing in Springfield. (Most graduated from Springfield South and North High School). Retired from the old Springfield Crowell-Collier Plant at closing and City of Springfield Rubbish Collection Department where he endeared himself to people from all walk of life.



Vaidehe Agwan <vagwan@springfieldohio.gov>

# Partial)Renaming of W Clark St.

1 message

I <szr3948@aol.com>

Mon, Aug 2, 2021 at 12:58 PM

Reply-To: I <szr3948@aol.com>

To: "vagwan@springfieldohio.gov" <vagwan@springfieldohio.gov>

This letter is being presented to the City of Springfield to rename a portion of West Clark Street in honor of Youlish Rhodes Sr. It is the sentiment of family and friend who loved and respected him . He passed away on May 22 2021 at the age of 100 years old. He was born on February 2. 1921 and and raised in the little town of Sparta Georgia. He had to quit school at an early age to worked the Cotton fields. He later married Dazzie Rhodes and moved to Springfield in the early 40's for better opportunities. There he fathered and reared 11 children. All of which were educated in the Springfield school system. He and his wife Dazzie have more than 150 off springs most of which are living in Springfield. His first job was with the Crowell Collier Plant until they shutdown in the 50's. He began working for the City of Springfield Sanitation Department until retiring in 1989. He was beloved and well known by many due to his work ethics, commitment to family and church life. He was an active member and Deacon Emeritus for Restored Life Ministries (formerly St Luke Baptist Church. In his effort to raise 11 children he had to relocate to many locations on the west side of Springfield until he finally was able to purchase a home on Wittenberg Ave. After staying there for 30 years he purchased their second home at 308 W Clark Street. (The renaming of the intersection of Wittenberg and W Clark Street ) two blocks on West Clark St going West is what we are requesting to be renamed He loved to sing and pray while opening up his home to anyone needing assistance. A great man known by many. More than 200 people during covid attended his 100 birthday celebration at the Simon Kenton Inn . "Youlish Rhodes Sr. Way" will be a welcome sight and a great way to memorialize his legacy. Thanks for your assistance in making this happen . Samuel Rhodes Rashada Sr.

Sent from the all new AOL app for Android



### Correction

1 message

I <szr3948@aol.com>

Mon, Aug 2, 2021 at 4:26 PM

Reply-To: I <szr3948@aol.com>

To: "vagwan@springfieldohio.gov" <vagwan@springfieldohio.gov>

Correction. He passed away on May 12, 2021. Please refer to wife as Dazzie (Tucker) Rhodes

Sent from the all new AOL app for Android



Renaming W. Clark St. # 21-DS-03.

## Agenda Item # 7 Case # 21-Z-14 Amend an Approved CC-2A Plan

TO: City Planning Board DATE: August 3, 2021

PREPARED BY: Stephen Thompson SUBJECT: Rezoning Case #21-Z-14

### **GENERAL INFORMATION:**

Applicant: Stephen Butler, 2440 Dayton-Xenia Rd, Suite B,

Beavercreek, OH 45434

Owner: Elliot Hayne Trustee, 20 Tamarin Ln., Novato, CA 94945

Requested Action: Request to amend the approved site plan for 2206 N

Bechtle Avenue, parcel #3200200001000140 to allow for a

new automobile oriented use to be constructed.

Location: 2206 N Bechtle Ave.

Size: 1.10 acre

Existing Land Use and Zoning: CC2A, Shopping Center District

Surrounding Land Use and Zoning: North: CC2A, Shopping Center District

East: CC2A, Shopping Center District, South: CC2A, Shopping Center District

West: RS-5 Low-Density, Single-Family Residential

District

Applicable Regulations: Chapter 1174 Amendments

File Date: July 15, 2021

### **BACKGROUND:**

The applicant seeks to amend the approved site plan of a gas station at the vacant restaurant site (IHoP). Staff does not believe a gas station is the highest and best use for the parcel. This area was intended for retail and staff's opinion is that is what any future use should be. Staff also has concerns on the environmental impact that the underground storage tanks would have in future.

A conditional use permit to allow for a gas station at 2206 Bechtle Ave. in a CC-2A, Shopping Center District was approved by Board of Zoning Appeals on June 21, 2021.

### **ANALYSIS:**

### **Land Use Plan and Zoning:**

The Connect Clark County Comprehensive Plan shows this future character area as, "Commercial Center".

The purpose of CC2A district is to provide locations for the development of community shopping and business areas which serve a major segment of the community population.

### **Principal Uses:**

- (a) Business service establishment, except a drive- in facility.
- (b) Club.
- (c) Food locker.
- (d) Meeting hall.
- (e) Museum and art gallery.
- (f) Office use allowed in the CO-1 District.
- (g) Personal service establishment, except a drive- in facility. (Ord. 14-113. Passed 5-13-14.)
- (h) Retail establishment (including a restaurant), except those uses listed as conditional uses.
- (i) Theater.
- (i) Financial Institution.
- (k) Hotel or motel. (Ord. 06-217. Passed 6-13-06.)

### **Provisional Uses:**

None.

### **Conditional Uses:**

A lot or building may be occupied by the following conditional uses:

- (a) Animal specialty service, veterinary clinic, and animal hospital. Such uses shall be subject to the following requirements:
  - (1) The facility shall have no outside runs.
  - (2) Animals shall not be housed outside nor shall cages be stored outside.
- (3) The building housing the facility shall be sound proofed to minimize the transmission of sound outside the walls of the building. A minimum sound transmission coefficient of 40 shall be maintained.
- (4) All facilities shall be constructed and maintained in such a manner so as to prevent the emission of noxious or offensive odors.
- (5) The facility shall be limited to the care of small domestic animals.
- (b) Automobile and truck oriented use.
- (c) Cemetery.
- (d) Day-care center.
- (e) Commercial recreational use.
- (f) Dwelling located above the ground floor of another principal use allowed in this district, provided the density does not exceed one (1) dwelling unit per 1,800 square feet of lot area.
- (g) Funeral home subject to the requirements of Chapter 1135.
- (h) Public utility or public use.
- (i) Religious institution.

- (j) School, specialized private instruction.
- (k) Emergency housing, provided there shall be at least 300 square feet of lot area for each permanent resident and 200 square feet for each guest.
- (l) Drive-in facility for a financial institution.
- (m) Mini-warehouse or self-storage facilities subject to the following requirements:
- (i) Such mini-warehouse or self-storage facilities must be located at the rear of a lot used for other CC-2 purposes.
- (ii) The lot on which such use is permitted must have frontage on a thoroughfare as the same is shown on the adopted Thoroughfare Plan of The City of Springfield, Ohio, and entrance and exit to such use shall be from such thoroughfare.
- (iii) All drives and parking areas serving the use shall have a paved surface such as asphalt, concrete, or like material.
- (iv) Any such use on a lot located within 150 feet of or abutting a lot having a residential use in an R district shall be screened in accordance with the requirements of Section 1161.02 (h) of this Zoning Code.
- (v) There shall be one (1) off-street parking space for each 3,000 square feet of storage and such off-street parking shall be subject to Section 1158.02(b) of this Zoning Code.
- (n) Community Center, subject to the requirements of Chapter 1135. (Ord. 09-94. Passed 4-14-09.)

### Surrounding Land Use:

Proposed use is not compatible with the surrounding land uses.

### **Thoroughfare Plan:**

N. Bechtle Ave. is classified as a primary arterial road.

### **Staff Comments:**

City Manager's Office: Recommend Denial. This was not sold as an

"automobile oriented use" in the approval of the original zoning and site plan and if approved, would adversely alter the character of the development as it approaches the residential development to the north. Additional concerns of

possible environmental impacts.

City Service Department: Recommend approval. Right in only entrance (no

exit) on Bechtle Ave.

City Police Department: No objections

City Fire Department: No objections

City Building Division: Recommend approval. All issues will be dealt with

during plan review process.

Planning/Zoning Division:

Recommend Denial. Concern of environmental impact.

### **STAFF RECOMMENDATION:**

Recommend denial to amend the approved site plan.

### **ATTACHMENTS**:

- 1. Vicinity and zoning map
- 2. Application



FOR OFFICE USE ONLY
Case #: 21-Z-14

Date Received:
Received by:
Application Fee: \$
Review Type:

Admin GPB BZA

Planning & Zoning

### **GENERAL APPLICATION**

A. PROJECT
1. Application Type & Project Description (attach additional information, if necessary):  Conditional use permit for convenience store/fuel station.
Automobile and truck oriented use Section 1118.04
2. Address of Subject Property: 2206 N. Bechtle Avenue
3. Parcel ID Number(s): 320-02-00001-000-140 and 330-06-00006-100-023
4. Full legal description attached?
5. Size of subject property:52 acres and .579 acres (1.099 acres combined)
6. Current Use of Property:
7. Current Zoning of Property: CC-2 Community Commercial District
B. APPLICANT
1. Applicant's Status (attach proof of ownership or agent authorization)   Owner
☑ Agent (agent authorization required) ☐ Tenant (agent authorization required)
2. Name of Applicant(s) or Contact Person(s): Stephen Butler
Title:
Company (if applicable): Community Civil Engineers
Mailing address: 2440 Dayton-Xenia Road, Suite B
City: Beavercreek State: OH ZIP: 45434
Telephone: ( 937 ) 490-9460 Fax: ( )
Email sbutler@communitycivilengineers.com



Planning & Zoning

### CITY OF SPRINGFIELD COMMUNITY DEVELOPMENT DEPARTMENT PLANNING & ZONING DIVISION

BOARD OF ZONING APPEALS APPLICATION

Date: 5/28	
Property address: _	2206 N. Bechtle Ave. (Tax Parcel Nos. 3200200001000140 and 3300600006100023
Requested Action:	Conditional Use     Interpretation of the Zoning Code or Map     Change of a Nonconforming Use     Other
Section of the Zoni	ng code applicable:1118.04
application is appro	uest, including the improvements or physical changes proposed if this oved: use permit for an automobile and truck oriented
use, specifica	ally a convenience store/fuel station on the Property.
Please include the f	ollowing exhibits:
uildings and their o	th the dimensions of the property including existing and proposed distances from lot lines, parking spaces, and adjoining streets and cample site plan. Additional copies may be required as needed.
	ted action: Substantiate the reasons why you feel the Board of uld grant your request. Be specific. Use the space that follows ages if necessary).
See Attached E	Explanation
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### **Application Check List**

Please review for completeness

### ITEMS TO BE SUBMITTED:

- D Proof of ownership or Property Owner Affidavit.
- ☐ General Application
- ☐ Site plan
- ☐ Fee of \$57 (residential) or \$285 (commercial). Fee must be submitted with the application.
- ☐ Board of Zoning Appeals Application
- Please include the following Exhibits (Exhibits are to be attached and made part of the petition):
  - Exhibit A: A scale drawing with the dimensions of the property including existing and proposed buildings and their distances from lot lines, parking spaces, and adjoining streets and alleys. See sample site plan.

Fees must be submitted at the time of application.



Amend an Approved CC-2A Plan. # 21-Z-14 2206 N Bechtal Ave.



Amend an Approved CC-2A Plan. # 21-Z-14 2206 N Bechtal Ave.



Amend an Approved CC-2A Plan. # 21-Z-14 2206 N Bechtal Ave.

CP1

## Agenda Item # 8 Case # 21-Z-12 Rezoning

TO: City Planning Board

DATE: August 3, 2021

PREPARED BY: Stephen Thompson

SUBJECT: Rezoning Case #21-Z-12

### **GENERAL INFORMATION:**

Applicant:

Greg Womacks, 527 E Home Road, Springfield, Ohio.

45506

Owner:

Greg Womacks, 527 E Home Road, Springfield, Ohio.

45506

Requested Action:

Request for an OPD-H Amendment to develop seven, single story residential buildings with 28 single bedroom units. One office/Community building at 356 S Burnett

Rd., parcel # 3400700022206057.

Location:

356 S Burnett Rd.

Size:

4.66 acre

Existing Land Use and Zoning:

Low-Density, Multi-Family Residence District, RM-12

Surrounding Land Use and Zoning:

North: Residential, RM-44

East: Commercial Office District, CO-1

South: Residential, RM-12

West: Commercial Office District, CO-1

Applicable Regulations:

Chapter 1174 Amendments, 1129 OPD-H Planned

Development Housing Overlay District

File Date:

July 15, 2021

### **BACKGROUND:**

The applicant seeks approval to rezone the subject parcel to develop seven, single story residential buildings, one office and community building. The OPD-H zoning amendment allows for any residential use and combinations of land uses, that may include single family, multi-family, group care facilities and commercial uses. (1129.04 (a))

### **ANALYSIS:**

### Land Use Plan and Zoning:

The Connect Clark County Comprehensive Plan shows this future character area as "Mixed use,

### Low Intensity."

The purpose of the OPD-H Planned Development Housing Overlay District is to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone will not be contrary to the intent and purpose of the Zoning Code, inconsistent with the Land Use Plan, nor harmful to the neighborhood.

RM-12 Low-Density, Multi-Family Residence District has the following uses:

### PRINCIPAL USES

- (a) Adult family home.
- (b) Day-care home, type B.
- (c) Duplex.
- (d) Dwelling, multi-family low-rise.
- (e) Dwelling, single-family detached.
- (f) Family home.

### PROVISIONAL USES

- (a) Accessory apartment, subject to the requirements of Chapter 1135.
- (b) Dwelling, zero lot line or attached, subject to the requirements of Chapter 1135.
- (c) Nursing home, subject to the requirements of Chapter 1135.
- (d) Religious institution, subject to the requirements of Chapter 1135.
- (e) Rooming house, provided the minimum lot area per rooming unit shall be 2725 square feet.

### CONDITIONAL USES

- (a) Bed and breakfast establishment when operated by the resident who also is the owner.
- (b) Cemetery or mausoleum, subject to the requirements of Chapter 1135.
- (c) Club, subject to the requirements of Chapter 1135.
- (d) Day-care center.
- (e) Day-care home, type A.
- (f) Group home.
- (g) Halfway house, provided a maximum of eight (8) parolees shall reside on the premises.
- (h) Public utility or public use, subject to the requirements of Chapter 1135.
- (i) School, generalized private instruction.
- (j) Emergency housing, provided the minimum lot area shall be 750 square feet for each permanent resident and 200 square feet times the maximum permitted occupant load for guests.
- (k) Community center, subject to the requirements of Chapter 1135. (Ord. 09-94. Passed 4-14-09.)

### **Surrounding Land Use:**

Proposed uses are compatible with the surrounding land uses.

### **Thoroughfare Plan:**

E. High St. is classified as a primary arterial road/State route and S. Burnett Rd. is classified as primary arterial road.

### **Staff Comments:**

City Manager's Office: Recommend Approval. No objections

City Service Department: Recommend Approval. No objections

City Police Department: Recommend Approval. No objections

City Fire Department: Recommend Approval. No objections

City Building Inspections Division: Recommend Approval. No objections

Planning/Zoning Division: Recommend Approval. No objections

### **STAFF RECOMMENDATION:**

Approval of request for an OPD-H Amendment in RM-12 zone.

### **ATTACHMENTS**:

- 1. Vicinity and zoning map
- 2. Application



	OFFICE USE ONLY se #:
Da	te Received:
Re	eived by:
Ap	plication Fee: \$
	view Type:
	☐ Admin ☐ CPB ☐ BZA

### GENERAL APPLICATION

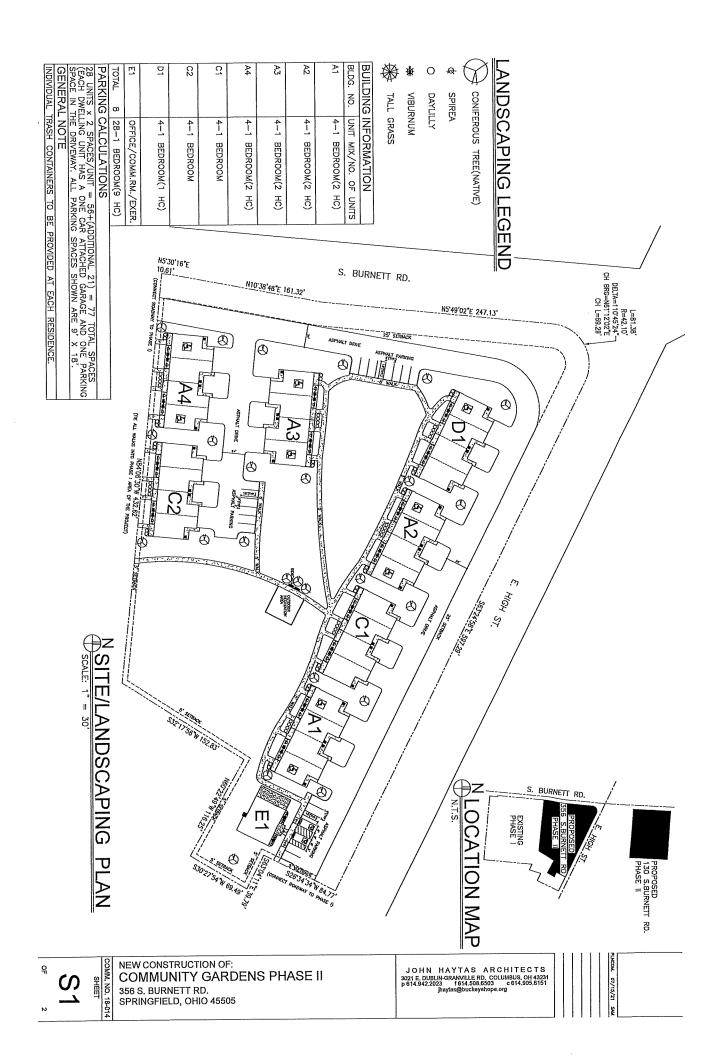
A. PROJECT
1. Application Type & Project Description (attach additional information, if necessary):  DPD-H Day Plan. Joseph Tiling-Story (esitlestial building with Library Eight  Single but community. One office Lemmunity withing.
2. Address of Subject Property: 356 S. Bucnett Rd. \S. Bucnett + E. High
3. Parcel ID Number(s): 3400706022206058
4. Full legal description attached?   yes □ no
5. Size of subject property: 4.66 QCGs
6. Current Use of Property: \\Can lot
7. Current Zoning of Property: RM-12-0PD-H-Low Density, Multi-family Residential District
B. APPLICANT
1. Applicant's Status (attach proof of ownership or agent authorization) XOwner
Agent (agent authorization required)   □ Tenant (agent authorization required)
2. Name of Applicant(s) or Contact Person(s): 6RE6 WOMACKS
Title: EXECUTIVE DIRECTOR
Company (if applicable): NEIGHBORHOOD HOUSING PARTNERSHIP OF GREATER SPRINGFIED, INC.
Mailing address:  527 E Home ROAD
City: SPRINGFIELD State: 0H ZIP: 45503
Telephone: (937) 322-4623 Fax: (937) 322-4619
Email GWOMACKS & SPRINGFIELDNHP. ORG



### CITY OF SPRINGFIELD COMMUNITY DEVELOPMENT DEPARTMENT PLANNING & ZONING DIVISION

PD, CC-2A, OPD-H OR G DISTRICT DEVELOPMENT PLAN/ OR AMEND AN EXISTING DEVELOPMENT PLAN

Date: 7/15/21
Property Address: 356 S. Bacnett Rd.
Please check one: ▼OPD-H Dev Plan □ CC-2A Dev Plan □ PD □ G District
The undersigned petitions for the proposed/or amendment to the development plan for acres at 3555. Bucket kd. (5. Bucket & L. Nigh) (street address or simple location description).
Exhibit A
Attach either a metes and bounds description or subdivision and lot number description.
Exhibit B
Attach a site plan of the petitioned lands.
Exhibit C
Attach a full description of the proposed development plan or amendment to the development plan including a site plan and all required associated materials according to the zoning request.
Exhibit D
1. Does the proposed change in zoning conform to City's adopted Thoroughfare Plan? Will it adversely affect the capacity of the present road system in the area?
2. Are adequate sanitary sewer, water, and storm drainage facilities available?
Exhibit E
List reasons for the requested action. The buildings were reviented to avoid possible soils i with the old hospital boundations.



### EXHIBIT A

APPROVED
Clark: County Tax Map
2:12 pm, Jul 12, 2017

Neighborhood Housing Partnership of Greater Springfield, Inc. Tract 3 – 4,669 Acres S. 22, T. 5, R, 9 BMRS Ryan D. Hillard, P.E., P.S. 7667 State Route 55 Urbana, OH 43078 (937) 244-8835

Situate in the State of Ohio, County of Clark, the City of Springfield and being part of Northeast Quarter of Section 22, Township 5, Range 9 Between the Miami Rivers Survey and being part of the land conveyed to Neighborhood Housing Partnership of Greater Springfield, Inc. in O.R. 2070, Page 2290 of the Official Records of Clark County Ohio, and being part of lots 1 and 2 as numbered and designated on the plat of the lands of the Heirs of Sarah Pearson, recorded Book 5, Page 96 and also being part of lot 11020 as numbered and designated on the plat of Grand View Addition, recorded Book 7, Page 22 of the plat records of Clark County, Ohio, and being more particularly described as follows:

Beginning for reference at a railroad spike (set) at the projected intersection of the south right of way of E. High St. (State Route 41) and the east right of way of S. Burnett Rd., thence with the south right of way of E. High St., S 63° 25' 13" E, 60.99 feet to a 5/8" rebar w/plastic cap (set) at the TRUE POINT OF BEGINNING of the tract herein described;

Thence with said south right of way, S 63° 25' 13" E, 597.29 feet to a 5/8" rebar w/plastic cap (set) on the north line of Lot 11020 of Grand View Addition, P.B. 7, Pg. 22;

Thence with new lines the following 6 courses:

S 26° 34' 47" W, 84.79 feet to a 5/8" rebar w/plastic cap (set);

S 62° 57' 33" E, 39.80 feet to a 5/8" rebar w/plastic cap (set);

S 30° 28' 02" W, 69.41 feet to a 5/8" rebar w/plastic cap (set);

N 60° 23' 34" W, 116.29 feet to a 5/8" rebar w/plastic cap (set);

S 32° 17' 00: W, 152.84 feet to a 5/8" rebar w/plastic cap (set);

N 84° 06' 36" W, 432.58 feet to a 5/8" rebar w/plastic cap (set) on the east right of way line of S. Burnett Road;

Thence with said right of way line the following 3 courses;

N 05° 48' 50" E, 10.65 feet to a 5/8" rebar w/plastic cap (set);

N 10° 37' 19" E, 161.29 feet to a point, 2.12 feet west of an iron pipe (fd);

N 05° 48' 47" E, 247.13 feet to a point;

Thence with a curve to the right having a radius of 42.10 feet, length of 81.39 feet, Chord of N 61° 11' 47" E, 69.29 feet, to the point of beginning, passing online a 5/8" rebar (fd) at 3.20 feet and containing 4.669 acres, 0.000 acres in right-of-way and, subject however, to all rights-of-way, easements, and restrictions of record.

The above description is based on an actual field survey dated June 30, 2017, by Ryan D. Hillard, Professional Surveyor 8558. Basis of bearings is Grid North, US State Plane Coordinate System, NAD1983 (2011 Adjustment), Ohlo South Zone.

### **GENERAL WARRANTY DEED**

Neighborhood Housing Partnership of Greater Springfield, Inc., an Ohio non-profit corporation (Grantor), for valuable consideration paid, grant(s) with general warranty covenants, to

**Neighborhood Housing Partnership of Greater Springfield, Inc.**, an Ohio non-profit corporation (Grantee), whose tax mailing address is: <u>527 East Home Road</u>, Springfield, Ohio 45503, the following real property:

Situated in the State of Ohio, County of Clark, and the City of Springfield:

The legal description for the 4.669 +/- acre tract is attached hereto and made a part hereof as Exhibit A; and is depicted as Tract 3 on the survey drawing attached hereto and made a part hereof as Exhibit B.

Subject to easements, restrictions, conditions of record, real estate taxes and assessments, if any, and zoning laws and legal highways.

Part of Auditor's Parcel Numbers: 340-07-00022-206-054 (combination of 340-07-00022-206-049 and 340-07-00022-206-047); 340-07-00022-206-010; and 340-0700022-206-058

Property Address: 4.669 acres, E. High St. & S. Burnett Road, Springfield, Ohio

45505

Prior Instrument Reference: Official Record Volume 2070, page 2290, and Official Record Volume 2095, page 1173, Clark County records.

The purpose of this General Warranty Deed is solely to place of record a new legal description for the remainder of real property of the Grantor/Grantee following the lot split as reflected on Exhibit B.

### **EXHIBIT A**

Neighborhood Housing Partnership of Greater Springfield, Inc. Tract 2 – 0.015 Acres S. 22, T. 5, R. 9 BMRS Ryan D. Hillard, P.E., P.S. 7667 State Route 55 Urbana, OH 43078 (937) 244-8835

Situate in the State of Ohio, County of Clark, the City of Springfield and being part of Northeast Quarter of Section 22, Township 5, Range 9 Between the Miami Rivers Survey and being the land conveyed to Neighborhood Housing Partnership of Greater Springfield, Inc. in O.R. 2070, Page 2290 of the Official Records of Clark County Ohio, and being part of lots 1 and 2 as numbered and designated on the plat of the lands of the Helrs of Sarah Pearson, recorded Book 5, Page 96 of the plat records of Clark County, Ohio, and being more particularly described as follows:

Beginning for reference at a railroad spike (set) at the projected intersection of the south right of way of E. High St. (State Route 41) and the east right of way of S. Burnett Rd., thence with the east right of way of S. Burnett Rd., S 05° 48' 47" W, 60.99 feet to a point on the PC of a curve in the right of way, thence S 05° 48' 47" W, 247.13 feet to a point, thence S 10° 37' 19" W, 161.29 feet to a 5/8" rebar w/plastic cap (set), thence S 05° 48' 50" W, 403.26 feet to a 5/8" rebar w/plastic cap (set) at the TRUE POINT OF BEGINNING of the tract herein described;

Thence leaving said right of way, S 84° 11' 10" E, 10.00 feet to a 5/8" rebar w/plastic cap (set);

Thence S 05° 48' 50" W, 65.00 feet to a point on the north line of a1.524 acre tract conveyed to Community Hospital of Springfield and Clark County in D.V. 853, Page 628;

Thence with said north line, N 84° 23' 41" W, 10.00 feet to a point on the east right of way of S. Burnett Rd., passing online a 5/8" rebar w/Scholl cap (fd) at 2.10 feet;

Thence with said right of way, N 05° 48′ 50° E, 65.04 feet to the place of beginning and containing 0.015 acres, 0.000 acres in right-of-way and, subject however, to all rights-of-way, easements, and restrictions of record.

The above description is based on an actual field survey dated June 30, 2017, by Ryan D. Hillard, Professional Surveyor 8558. Basis of bearings is Grid North, US State Plane Coordinate System, NAD1983 (2011 Adjustment), Ohio South Zone.

Ryan D. Hillard, PS 8558

2415 Springfield City School District 2.979 Acres Pt. N.E. ¼ 22-5-9 B.M.R.S. January 22, 2019 SCHOLL SURVEYING, LLC 1533 Moorefield Road Springfield OH 45503 937.399.1532

Situate in the State of Ohio, County of Clark, City of Springfield, and being part of the Northeast Quarter of Section 22, Town 5, Range 9, Between the Miami Rivers Survey and being described as follows:

Beginning at a un-monumented corner at the intersection of East line of South Burnett Road (right-of-way varies) with the North line of said Section 22, also being on the south side of a 16 feet wide alley, the TRUE POINT OF BEGINNING HEREIN;

thence with the North line of said Section 22, and the South line of a 16 feet wide Alley, S 85°45'26" E, 410.00 feet to a mag spike (set), passing on line a mag spike (set) at 0.23 feet;

thence parallel with the East line of said South Burnett Road, S 03°37'53" W, 318.26 feet to a un-monumented corner, passing on line a 5/8" re-bar with plastic cap (set) at 316.26 feet;

thence with part of the north line of a 2.44 acre tract (per Auditor) described in deed to Williamsburg Plaza, LLC recorded Volume 1855, Page 1017 of the Official Records of Clark County, Ohio, N 85°39'41" W, 79.37 feet to a un-monumented corner;

thence, with part of the east line of a 0.450 acre tract described in deed to Jaesan's Rental Properties, LLC recorded Book 2126, Page 2514, Tract Six of the Official Records of Clark County, Ohio, N 05°00'07" E, 1.39 feet to a 5/8" re-bar with plastic cap (found);

thence, with the north line of said 0.450 acre tract, and with the north line of premises described in deed to Jaesan's Rental Properties, LLC recorded Book 2126, Page 2514, Tract Seven of the Official Records of Clark County, Ohio, and with the north line of premises described in deed to the Ridgewood Group, LLC recorded Book 1896, Page 2031 of the Official Records of Clark County, Ohio, and with the north line of premises described in deed to Mental Health and Recovery Board of Clark, Greene, and Madison Counties recorded Volume 1826, Page 72, Tract I, Tract II and Tract III of the Official Records of Clark County, Ohio, N 85°32'54" W, 330.68 feet to a un-monumented corner, passing on line a 5/8" re-bar with plastic cap (found) at 330.38 feet;

thence with the East right-of-way line of said South Burnett Road, N 03°37'53" E, 315.53 feet to the point of beginning and containing 2.979 acres, subject however, to all rights-of-way, easements, and restrictions of record.

### LOT SPLIT APPLICATION (PAGE-2)

City of Springfield - Community Development Department - Planning & Zoning Division

### **Application Check List**

Please review for completeness

### ITEMS TO BE SUBMITTED:

- □ Completed application
- Written legal description (one for each split).
- ☐ Plat of survey map of lot split
- Deed executing lot split and any lot combination
- □ \$10.00 application fee/per lot due when submitted

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### **GENERAL WARRANTY DEED**

Neighborhood Housing Partnership of Greater Springfield, Inc., an Ohio non-profit corporation (Grantor), for valuable consideration paid, grant(s) with general warranty covenants, to

The Community Gardens L.P., an Ohio limited partnership (Grantee), whose tax mailing address is: 3021 E. Dublin-Granville Road, Suite 200, Columbus, OH 43231, the following real property:

Situated in the State of Ohio, County of Clark, and the City of Springfield:

The legal description for the 6.699 +/- acre tract is attached hereto and made a part hereof as Exhibit A; and is depicted as Tract 1 on the survey drawing attached hereto and made a part hereof as Exhibit B.

Subject to easements, restrictions, conditions of record, real estate taxes and assessments, if any, and zoning laws and legal highways.

Part of Auditor's Parcel Numbers: 340-07-00022-206-054 (combination of 340-07-00022-206-049 and 340-07-00022-206-047); 340-07-00022-206-010; and 340-0700022-206-058

Property Address: 6.699 acres, E. High St. & S. Burnett Road, Springfield, Ohio 45505

Prior Instrument Reference: Official Record Volume 2070, page 2290, and Official Record Volume 2095, page 1173, Clark County records.

### EXHIBIT A

Neighborhood Housing Partnership of Greater Springfield, Inc. Tract 1 – 6.699 Acres S. 22. T. 5. R. 9 BMRS Ryan D. Hillard, P.E., P.S. 7667 State Route 55 Urbana, OH 43078 (937) 244-8835

Situate in the State of Ohio, County of Clark, the City of Springfield and being part of Northeast Quarter of Section 22, Township 5, Range 9 Between the Miami Rivers Survey and being part of the land conveyed to Neighborhood Housing Partnership of Greater Springfield, Inc. in O.R. 2070, Page 2290 and O.R. 2095, Page 1173 of the Official Records of Clark County Ohio, and being part of lots 13743 and 13744 as numbered and designated on the plat of Layne's Third Addition, recorded Book 8, Page 14B, and also being parts of lots 1 and 2 as numbered and designated on the plat of the lands of the Heirs of Sarah Pearson, recorded Book 5, Page 96 and also being part of lots 11021 and 1020 as numbered and designated on the plat of Grand View Addition, recorded Book 7, Page 22 of the plat records of Clark County, Ohio, and being more particularly described as follows:

Beginning for reference at a railroad splke (set) at the projected intersection of the south right of way of E. High St. (State Route 41) and the east right of way of S. Burnett Rd., thence with the east right of way of S. Burnett Rd., S 05° 48' 47" W, 60.99 feet to a point on the PC of a curve in the right of way, thence S 05° 48' 47" W, 247.13 feet to a point, thence S 10° 37' 19" W, 161.29 feet to a 5/8" rebar w/plastic cap (set), thence S 05° 48' 50" W, 10.65 feet to a 5/8" rebar w/plastic cap (set) at the TRUE POINT OF BEGINNING of the tract herein described;

Thence with new lines the following 6 courses:

S 84° 06' 36" E, 432.58 feet to a 5/8" rebar w/plastic cap (set);

N 32° 17' 00" E, 152.84 feet to a 5/8" rebar w/plastic cap (set);

S 60° 23' 34" E. 116.29 feet to a 5/8" rebar w/plastic cap (set);

N 30° 28' 02" E, 69.41 feet to a 5/8" rebar w/plastic cap (set);

N 62° 57' 33" W, 39.80 feet to a 5/8" rebar w/plastic cap (set);

N 26° 34' 47" E, 84.79 feet to a 5/8" rebar w/plastic cap (set) on the south right of way line of E. High Street;

Thence with said right -of way S 63° 25' 13" E, 131.45 feet to a 5/8" rebar w/plastic cap (set) at a point 2 feet west of the northeast corner of Lot 11021 of Grand View Addition recorded in Plat Book 7, Page 22;

Thence with a line 2 feet west of the east line of said Lot 11021, S 26° 34' 47" W, 200.70 feet, passing the south line of Lot 11021 at 178.80 feet, to a 5/8" rebar w/plastic cap (set) on the north line of a tract conveyed to David Fairbanks in O.R. 1944, Page 1694 and being within Lot 13743 of Layne's Third Addition, Plat Book 8, Page 14 B;

Thence through Lots 13743 and 13744 of said Layne's Third Addition, along Fairbanks' north line and the north line of Richard E. Haynes per O.R. 1530, Page 2170, N 64° 11' 05" W, 65.83 feet to an Iron pipe (fd) to the west line of said Layne's Third Addition;

Thence with the west line of said Layne's Third Addition the following 3 courses:

S 18° 39' 37" W, 99.72 feet to an iron pipe (fd);

N 64° 24' 42" W, 50.81 feet to an iron pipe w/Dodson cap (fd);

\$ 05° 41' 59" W, 409.97 feet to an Iron pipe (fd);

Thence with the north line of a 1.71 acre tract conveyed to McKinley Hall, Inc. in O.R. 2067, Page 2290, Tract 1, and the north line of a part of 1.524 acre tract conveyed to Community Hospital of Springfield and Clark County in D.V. 853, Page 628, N 84° 23′ 41″ W, 539.75 feet to a point, 2.10 feet east of a 5/8″ rebar w/plastic cap (fd), passing on line a spike (fd) at 343.60 feet and a mag nail (fd) at 349.66 feet.

Thence N 05° 48' 50" E, 65.00 feet to a 5/8" rebar w/plastic cap (set);

Thence N 84° 11' 10" W, 10.00 feet to a 5/8" rebar w/plastic cap (set) on the east right of way of S. Burnett Rd.

Thence with said right of way, N 05° 48' 50" E, 392.61 feet to the point of beginning and containing 6.699 acres, 0.000 acres in right-of-way and, subject however, to all rights-of-way, easements, and restrictions of record.

The above description is based on an actual field survey dated June 30, 2017, by Ryan D. Hillard, Professional Surveyor 8558. Basis of bearings is Grid North, US State Plane Coordinate System, NAD1983 (2011 Adjustment), Ohio South Zone.

Ryan D. Hillard, PS 8558

### **GENERAL WARRANTY DEED**

Neighborhood Housing Partnership of Greater Springfield, Inc., an Ohio non-profit corporation (Grantor), for valuable consideration paid, grant(s) with general warranty covenants, to the

**City of Springfield, Ohio**, an Ohio municipal corporation (Grantee), whose tax mailing address is: 76 E. High Street, 3<sup>rd</sup> Floor, Springfield, OH 45502, the following real property:

Situated in the State of Ohio, County of Clark, and the City of Springfield:

The legal description for the 0.015 +/- acre tract is attached hereto and made a part hereof as <u>Exhibit A</u>; and is depicted as Tract 2 on the survey drawing attached hereto and made a part hereof as <u>Exhibit B</u>.

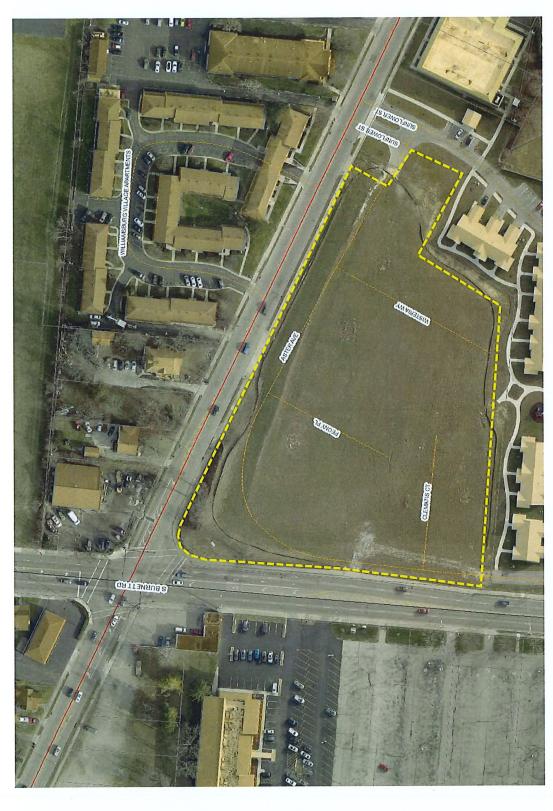
Subject to easements, restrictions, conditions of record, real estate taxes and assessments, if any, and zoning laws and legal highways.

Part of Auditor's Parcel Numbers: 340-07-00022-206-054 (combination of 340-07-00022-206-049 and 340-07-00022-206-047); 340-07-00022-206-010; and 340-0700022-206-058

Property Address: 0.015 acres, E. High St. & S. Burnett Road, Springfield, Ohio 45505

Prior Instrument Reference: Official Record Volume 2070, page 2290, and Official Record Volume 2095, page 1173, Clark County records.

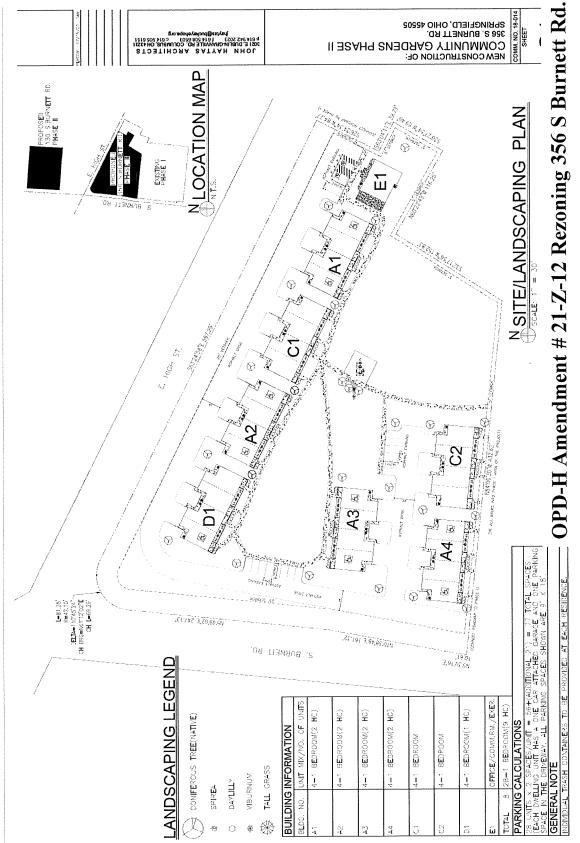
Grantor hereby reserves a perpetual, non-exclusive easement for vehicular and pedestrian ingress and egress, signage, and any and all utilities over, under, and upon the real property herein conveyed to Grantee.



OPD-H Amendment # 21-Z-12 Rezoning 356 S Burnett Rd.



OPD-H Amendment # 21-Z-12 Rezoning 356 S Burnett Rd.



## Agenda Item # 9 Case # 21-Z-13 Rezoning

TO: City Planning Board DATE: July 28, 2021

PREPARED BY: Stephen Thompson SUBJECT: Rezoning Case #21-Z-13

### **GENERAL INFORMATION:**

Applicant: Peter K Noonan, Midland Properties, Inc., P.O.Box 2310,

1130 Vester Ave., Springfield, Ohio. 45501

Owner: Board of Education City of Springfield, 1500 W. Jefferson

St., Springfield, Ohio. 45505

Requested Action: Request for site plan approval to develop six, single story

residential buildings with thirty two single bedroom units at

130 S Burnett Rd., parcel #s 34007000222001001.

Location: 130 S Burnett Rd.

Size: 2.96 acre

Existing Land Use and Zoning: Low-Density, Multi-Family Residence District, RM-12

Surrounding Land Use and Zoning: North: Low-Density, Single-Family Residential District,

RS-5

East: Green Space, Park, School District, G

South: Residential, RM-44

West: Commercial Office District, CO-1

Applicable Regulations: Chapter 1174 Amendments

File Date: July 15, 2021

### **BACKGROUND:**

The applicant is requesting to develop a vacant lot in a RM-12 District and seeks the approval of site plan. The OPD-H zoning amendment allows for any residential use and combinations of land uses, that may include single family, multi-family, group care facilities and commercial uses. (1129.04 (a))

### **ANALYSIS:**

### Land Use Plan and Zoning:

The Connect Clark County Comprehensive Plan shows this future character area as "Institutional Campus."

The purpose of the OPD-H Planned Development Housing Overlay District is to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone will not be contrary to the intent and purpose of the Zoning Code, inconsistent with the Land Use Plan, nor harmful to the neighborhood.

RM-12 Low-Density, Multi-Family Residence District has the following uses:

### PRINCIPAL USES

- (a) Adult family home.
- (b) Day-care home, type B.
- (c) Duplex.
- (d) Dwelling, multi-family low-rise.
- (e) Dwelling, single-family detached.
- (f) Family home.

### PROVISIONAL USES

- (a) Accessory apartment, subject to the requirements of Chapter 1135.
- (b) Dwelling, zero lot line or attached, subject to the requirements of Chapter 1135.
- (c) Nursing home, subject to the requirements of Chapter 1135.
- (d) Religious institution, subject to the requirements of Chapter 1135.
- (e) Rooming house, provided the minimum lot area per rooming unit shall be 2725 square feet.

### CONDITIONAL USES

- (a) Bed and breakfast establishment when operated by the resident who also is the owner.
- (b) Cemetery or mausoleum, subject to the requirements of Chapter 1135.
- (c) Club, subject to the requirements of Chapter 1135.
- (d) Day-care center.
- (e) Day-care home, type A.
- (f) Group home.
- (g) Halfway house, provided a maximum of eight (8) parolees shall reside on the premises.
- (h) Public utility or public use, subject to the requirements of Chapter 1135.
- (i) School, generalized private instruction.
- (j) Emergency housing, provided the minimum lot area shall be 750 square feet for each permanent resident and 200 square feet times the maximum permitted occupant load for guests.
- (k) Community center, subject to the requirements of Chapter 1135. (Ord. 09-94. Passed 4-14-09.)

### **Surrounding Land Use:**

Proposed uses are compatible with the surrounding land uses.

### **Thoroughfare Plan:**

S. Burnett Rd. is classified as a secondary arterial road.

### **Staff Comments:**

City Manager's Office: Recommend approval. No objections

City Service Department: Recommend approval. No objections

City Police Department: Recommend approval. No objections

City Fire Department: Recommend approval. No objections

City Building Inspections Division: Recommend approval. No objections

Planning/Zoning Division: Recommend approval. No objections

### **STAFF RECOMMENDATION:**

### **ATTACHMENTS:**

- 1. Vicinity and zoning map
- 2. Application



POR OFFICE USE ONLY Case #:	
Dato Received:	
Received by:	
Application Fee: S	
Review Type:	
□ Admin □CPB □BZA	

### GENERAL APPLICATION

A. PROJECT
1. Application Type & Project Description (attach additional information, if necessary):  Site plan (eVizue Six Single-Stong (esidential building with Mirty two)  Single Ordnord with.
2. Address of Subject Property: 130 S. Burnett Rd.
3. Parcel ID Number(s): 340N 000 2220 001
4. Full legal description attached? 河 yes 口 no
5. Size of subject property: 2.96 ACCC
6. Current Use of Property: \\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
7. Current Zoning of Property: RM-12-Low Density, Multi-tanuly, Residental District
B. APPLICANT
1. Applicant's Status (attach proof of ownership or agent authorization)   Owner
Agent (agent authorization required)   ☐ Tenant (agent authorization required)
2. Name of Applicant(s) or Contact Person(s): PETER K. NONAN
Title: AGENT
Company (if applicable): MIDIAND PROPERTIES, INC.
Mailing address: P.O. Box 2310, 1130 Vester Ave
City: Skingfield State: OH ZIP: 45501
Telephone: (937) 390 - 8800 Fax: ( )
Email PKNOWANIZ @YAHEN. Com

City of Springfield Community Development Department Planning & Zoning Division City Hall: 2<sup>rd</sup> Floor • 76 B High Street • Springfield, Ohio 45502 Phone: 937.324.7674 Fax: 937.328.3558

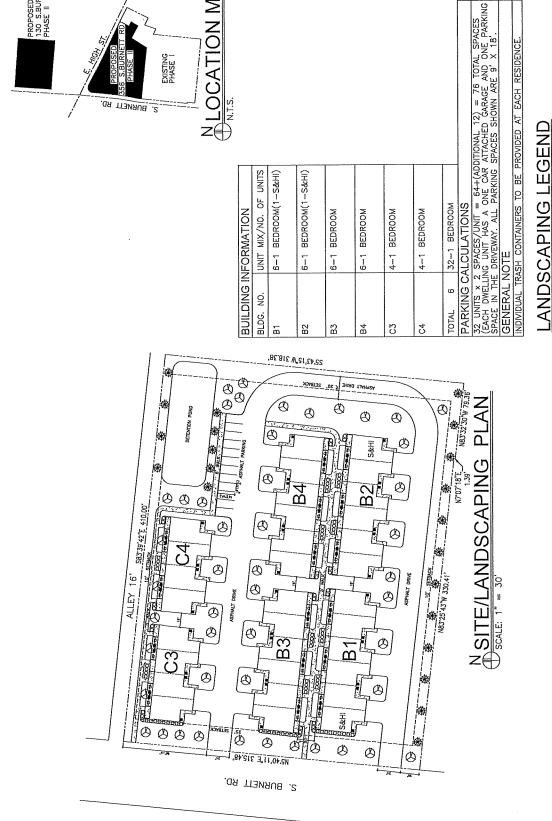


List reasons for the requested action.

CITY OF SPRINGFIELD COMMUNITY DEVELOPMENT DEPARTMENT PLANNING & ZONING DIVISION

PD, CC-2A, OPD-H OR G DISTRICT DEVELOPMENT PLAN/ OR AMEND AN EXISTING DEVELOPMENT PLAN

Date: 7(15/2)
Property Address: 130 5. Burnett Rd.
Please check one: OPD-H Dev Plan
The undersigned petitions for the proposed/or amendment to the development plan for 2.96 acres at 1305. Burnt Rd (street address or simple location description).
Exhibit A
Attach either a metes and bounds description or subdivision and lot number description.
Exhibit B
Attach a site plan of the petitioned lands.
Exhibit C
Attach a full description of the proposed development plan or amendment to the development plan including a site plan and all required associated materials according to the zoning request.
Exhibit D
1. Does the proposed change in zoning conform to City's adopted Thoroughfare Plan? Will it adversely affect the capacity of the present road system in the area?
2. Are adequate sanitary sewer, water, and storm drainage facilities available?
Exhibit E



NCOM. 07/15/21

PROPOSED 130 S.BURNETT RD. PHASE II

JOHN HAYTAS ARCHITECTS 3021 E. DUBILL-GRAWNILLE BR. COLLIMBUS. 0H 40251 1614-508-503 - Celf-306-6151 1614-608-6195

ON MAP

EXISTING PHASE 1

COMM. NO. 18-014 SHEET SPRINGFIELD, OHIO 45505 130 S, BURNETT RD. COMMUNITY GARDENS PHASE II NEW CONSTRUCTION OF:

2 Р

CONIFEROUS TREE(NATIVE)

TALL GRASS

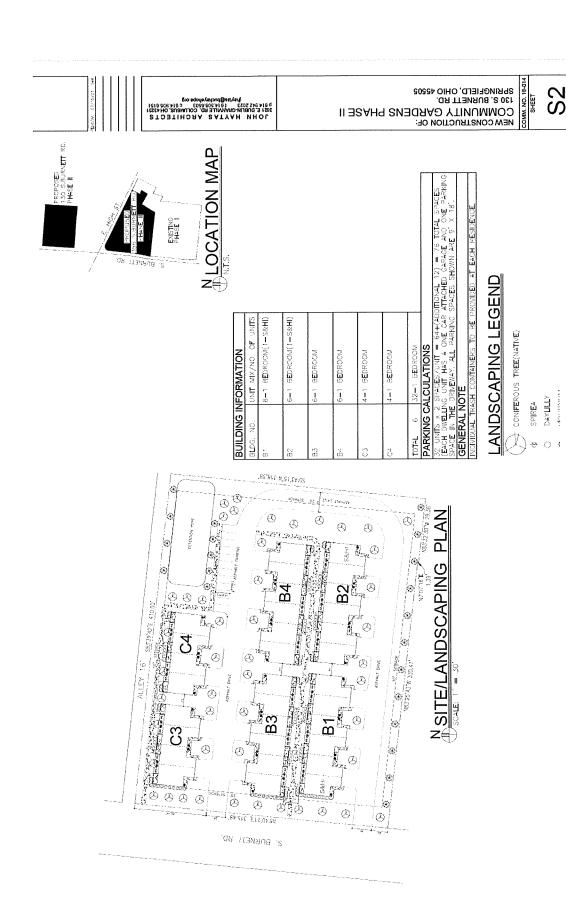
VIBURNUM DAYLILLY SPIREA



130 S Burnett Rd. # 21-Z-13 Rezoning.



130 S Burnett Rd. # 21-Z-13 Rezoning.



130 S Burnett Rd. # 21-Z-13 Rezoning.

# 2021 CITY PLANNING BOARD ATTENDANCE

BOARD MEMBERS		JAN	FEB	MAR	APR	MAY	JUN	nor	AUG	SEP	OCT	NOV	DEC
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Charlene Roberge 3-17-2018	2018	Ъ	N/A	P	N/A	n/a	N/A	NA	NA	NA	NA	NA	NA
Reso. 5878 3-17-2021	2021												
wis-Campbell	2020	P	N/A	Ь	Ъ	Ъ	Ъ	Ь					
Reso. 5960 01-28-2023	2023												
Charles Harris 03-29-2016	910	P	N/A	Ъ	Ь	Д	<u> </u>	Д					
Reso. 5927 03-30-2022	.022												
Trisha George 4-02-2013	2013	P	N/A	P	Ą	Д	Д	Д					
Reso. 5772 4-12-2022	2022												
James Smith 10/24/2017	017	Ą	N/A	P	N/A	n/a	Ь	P					
Reso. 5987 10/24/2020	020												
Alex Wendt 4/10/2018	018	P	N/A	P	A	Ъ	Ы	A					
Reso. 6006 4/24/2021	2021												
Jack Spencer 7/1	7/18/19	A	N/A	P	Ь	Ъ	Ъ	Ъ					
Reso. 6055	7/22/22												
Amanda Fleming 8/27/2019	019	Ь	N/A	Ь	Ы	Ъ	A	P					
1/01/2022	022												
Peg Foley 12/08/2020	2020	P	N/A	Ъ	Ь	4	Ь	Ь					
Reso. 6101 12/22/2023	2023												
Christin Worthington 02/16/2021	2021	N/A	N/A	Д	Ь	Ь	A	Ь					
Reso. 6111 03/02/2024	2024												
Lorin M Wear III 03/16/2021	2021	N/A	N/A	N/A	Ь	Ъ	Ь	Ъ					
Reso. 6114 03/30/2024	2024												

NOTE: The first date shown is the most recent appointment/reappointment date. The second date represents the most recent term's expiration. The City Commission Resolution is also listed.



### **CITY OF SPRINGFIELD** COMMUNITY DEVELOPMENT DEPARTMENT PLANNING AND ZONING DIVISION

### **City Planning Board**

Regular Meeting - First Monday following the First Tuesday of the Month 7:00 P.M. - City Forum, City Hall, 76 E. High St., Springfield, Ohio

City Planning Board Meeting Date:	Lotsplit Variance, Rezoning, and Final Subdivision Application Deadline:
January 11, 2021	December 21, 2020
February 8, 2021	January 15, 2021
March 8, 2021	February 12, 2021
April 12, 2021	March 22, 2021
May 10, 2021	April 19, 2021
June 7, 2021	May 17, 2021
July 12, 2021	June 21, 2021
August 9, 2021	July 19, 2021
September 13, 2021	August 23, 2021
October 11, 2021	September 20, 2021
November 8, 2021	October 18, 2021
December 13, 2021	November 22, 2021

**Board of Zoning Appeals** Regular Meeting-Third Monday of the Month 7:00 P.M.- City Forum, City Hall, 76 E. High St., Springfield, Ohio

### **Board of Zoning**

### **Application Deadline:**

January 20, 2021 *	December 28, 2020
February 17, 2021 *	January 25, 2021
March 15, 2021	February 22, 2021
April 19, 2021	March 29, 2021
May 17, 2021	April 26, 2021
June 21, 2021	May 28, 2021
July 19, 2021	June 28, 2021
August 16, 2021	July 26, 2021
September 20, 2021	August 30, 2021
October 18, 2021	September 27, 2021
November 15, 2021	October 25, 2021
December 20, 2021	November 29, 2021

<sup>\*</sup> Denotes meeting day changed to Wednesday due to holiday. Effective Date: December 2020

Prepared by the Planning and Zoning Division

### **2021 CITY COMMISSION CALENDAR**

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2022 Important Dates: Tuesday, Jan. 4, 2022 – Organizational Meeting